

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

FRANTZ SAMSON, a Washington resident,  
individually and on behalf of all others similarly  
situated,

Plaintiff,

v.

UNITEDHEALTHCARE SERVICES, INC.,

Defendant.

Case No. 2:19-cv-00175-MJP

**JOINT MOTION AND ~~PROPOSED~~  
ORDER TO EXTEND DEADLINES  
FOR DECERTIFICATION  
BRIEFING AND EXPERT  
DISCLOSURES**

**NOTED FOR CONSIDERATION:**  
AUGUST 5, 2024

The parties respectfully request that the Court extend the deadlines for briefing on Defendant's motion for decertification (Dkt. No. 311), Defendant's motion to seal documents submitted in support of that motion (Dkt. No. 310), and for expert disclosures. In support of this motion, the parties stipulated as follows:

WHEREAS, on July 8, Plaintiff served deposition notices seeking to depose three call agents that United disclosed in its initial disclosures;

WHEREAS, due to witness availability, the call agent depositions could not be set until August 23, 27, and 29;

WHEREAS, Defendant indicated to Plaintiff that it would not oppose an extension of the deadline for Plaintiff to respond to Defendant's forthcoming decertification motion if Plaintiff determined, after reviewing Defendant's motion, that he needed the depositions to respond to the decertification motion;

WHEREAS, on July 22, 2024, Defendant filed motions to decertify the classes and seal certain records submitted in support of that motion (Dkt. Nos. 310 & 311);

WHEREAS, Defendant submitted with its decertification new testimony and evidence, including new testimony from its expert, Sonya Kwon (Dkt. Nos. 314 & 315);

WHEREAS, Plaintiff's responses to Defendant's motions are due on August 12, 2024, which is two weeks before the depositions scheduled for the end of August (LCR 7(d)(4));

WHEREAS, Plaintiff has served discovery, including Federal Rule of Civil Procedure 30(b)(1) and 30(b)(6) deposition notices and an RFP, designed to elicit information regarding the evidence Defendant submitted in connection with its decertification motion;

WHEREAS Plaintiff has noted the two additional depositions for the same days as the call agent depositions, on August 27, 2024 and August 29, 2024 respectively;

WHEREAS, Defendant does not agree that the requested additional discovery is relevant or warranted but does not oppose the relief Plaintiff seeks in this motion;

WHEREAS, Defendant has agreed to re-note its decertification motion and motion to seal for September 27, 2024;

WHEREAS, the parties propose the following:

| Event  | Current Date    | Proposed Date      |
|--|-----------------|--------------------|
| Plaintiff's Response to Decertification Motion and Motion to Seal  | August 12, 2024 | September 6, 2024  |
| Defendant's Reply in Support of Decertification and Motion to Seal | August 19, 2024 | September 27, 2024 |

WHEREAS, the parties further agree to extend the expert deadline currently set for September 3, 2024 to twenty-one days following the Court's ruling on decertification. Good cause exists to extend the deadline so that the parties' experts can account for any impact of the Court's decertification ruling or other discovery that occurs in the interim;

Accordingly, the parties request that the Court modify the case schedule as follows:

| Event  | Date  |
|--|---|
| Plaintiff's Response to Decertification Motion and Motion to Seal  | September 6, 2024   |
| Defendant's Reply in Support of Decertification and Motion to Seal | September 27, 2024  |
| Deadline for parties to exchange supplemental expert disclosures   | <del>Three weeks following the Court's ruling on decertification</del><br>30 days from the date that Defendant's Decertification Motion is ripe for review. |

RESPECTFULLY SUBMITTED AND DATED this 12th day of August, 2024.

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**ORDER**

THIS MATTER came before the Court on the Parties' Joint Motion to Modify Case Schedule. (Dkt. No. 319.) Having considered the motion, record, and all supporting documents, the Court finds good cause to modify the case schedule and GRANTS the Motion. The Case Schedule is hereby modified as follows:

| Event  | Date  |
|--|---|
| Plaintiff's Response to Decertification Motion and Motion to Seal  | September 6, 2024   |
| Defendant's Reply in Support of Decertification and Motion to Seal | September 27, 2024  |
| Deadline for parties to exchange supplemental expert disclosures   | 30 days from the date that Defendant's Decertification Motion is ripe for review. |

IT IS SO ORDERED.

DATED this 12th day of August, 2024.



THE HONORABLE MARSHA J. PECHMAN